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Date: March 14, 2001

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Filing Date

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Ser. No. 09/757,842

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Edward R. Knapp III
Arthur R. Martin
Christopher S. Anderson
Richard J. Fellingner

Docket: 102088-300

Serial No.: 09/757,842

Art Unit: 3628

Confirmation No. 8162

Filed: January 10, 2001

Examiner: N/A

Title: DISPLAY SYSTEM

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Date of Transmission: March 14, 2001

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Signed: Elizabeth M. Swift

Name: Elizabeth M. Swift

PETITION UNDER 37 C.F.R. §1.10, AND IN THE ALTERNATIVE 1.182 or 1.183

Commissioner for Patents
U.S. Patent and Trademark Office
Washington, DC 20231

Dear Sir:

Applicant hereby petitions that the commissioner accord the present application the filing date of January 10, 2001 and correct the filing date indicated on the filing receipt.

The filing receipt incorrectly identifies a filing date of January 11, 2001 whereas the actual date of deposit pursuant to 37 CFR §1.10 was January 10, 2001.

The place of deposit was the central New Haven Post Office at Brewery Street. The Express Mail box outside the Post Office was known by the undersigned to have a pickup time of 6:30pm whereas the counter was believed to have closed earlier. The undersigned arrived with the application at the box shortly after 6:00pm. With a large amount of prior art, the application was in a very large envelope. A United States Postal Service (USPS) truck was parked nearby. The undersigned inquired of the driver whether the driver was waiting to unload the Express Mail box at the posted 6:30 time. The driver answered in the affirmative and accepted immediate hand delivery of the package rather than have the undersigned stuff the package into the box. Accordingly, the undersigned did not immediately receive a copy of the Express Mail label. Per standard practice under such situations, the undersigned's

secretary, the next day, obtained a tracking record (discussed below) that the USPS had logged the envelope. The undersigned did not subsequently receive the customary mailed return copy of the Express Mail mailing label.

Enclosed is a copy of the cover sheet of the application bearing the Express Mail number. Also enclosed is the tracking confirmation from the USPS website verifying that the Express Mail package was deposited with the USPS on January 10, 2001 prior to the last scheduled pick up for that day and was in fact received and processed on January 10, 2001. This tracking confirmation was produced on January 11, 2001, within one business day of the deposit of the Express Mail package. Also enclosed is a second tracking confirmation indicating the date of delivery.

All foregoing copies are true copies of the subject documents.

I hereby declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.


If the foregoing factual allegations are believed to address a question not specifically provided for, applicant petitions that the foregoing relief be provided under 37 CFR §1.182. If believed provided for but insufficient to obtain the requested relief, applicant petitions that the relief be provided under 37 CFR §1.183. It is believed that justice requires the relief requested as applicant is able to prove under even the highest burden that the actual date of receipt and initial processing of the application by the USPS was the filing date claimed by applicant.

Please charge any applicable fees to our Deposit Account No. 23-1665.

Date: March 14, 2001

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Respectfully submitted,
Edward R. Knapp III et al.



William B. Slate
Reg. No. 37,238

Enclosures: Cover Sheet
Tracking Record 1/11/01
Tracing Record 3/06/01

5JV6011.DOC\11317\1\259026.01

APPLICATION FOR UNITED STATES PATENT

in the names of

**Edward R. Knapp, III
Arthur R. Martin,
Christopher S. Anderson
and
Richard J. Fellingner**

of

Mechtronics Corporation

for

DISPLAY SYSTEM

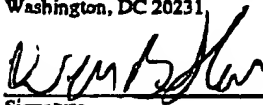
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I hereby certify under 37 CFR 1.10 that this correspondence is being deposited with the United States Postal Service as Express Mail Post Office To Addressee with sufficient postage on the date indicated below and is addressed to: Box Patent Application, Commissioner for Patents, Washington, DC 20231.



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102088-300

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